

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America)

v.)

JOSEPH WILLIAMS)

Case No: 05-cr-904-01

USM No: _____

Date of Previous Judgment: April 10, 2006

Linda D. Foster, AFPD

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 78 months is reduced to 60 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 25Amended Offense Level: 23Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 63 to 78 monthsAmended Guideline Range: 60 to 63 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

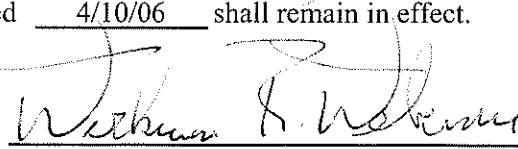
The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

III. ADDITIONAL COMMENTS

The Court when imposing the original sentence considered all of the factors set forth in 18 U.S.C. § 3553(a) and set forth at the time of sentencing why a sentence at the top of the Guidelines range was called for. These circumstances have not changed except that Defendant has shown unusually positive institutional adjustments with respect to his work assignments, education course, counseling, particularly with respect to a drug abuse program. All this warrants a sentence of 60 months, the mandatory minimum.

Except as provided above, all provisions of the judgment dated 4/10/06 shall remain in effect.

IT IS SO ORDERED.Order Date: May 5, 2008

 Judge's signature

Effective Date: _____
 (if different from order date)

Dickinson R. Debevoise, U.S.S.D.J.

Printed name and title